

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DAVID EVANS,

Plaintiff,

v.

MICHIGAN DEPARTMENT OF  
CORRECTIONS, et al.,

Defendants.

Case No. 1:18-cv-23

HON. JANET T. NEFF

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**ORDER**

This is a civil rights action brought by a state prisoner pursuant to 42 U.S.C. § 1983. Defendants Beechler and Treble<sup>1</sup> filed a motion for summary judgment (ECF No. 15). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on November 28, 2018, recommending that this Court grant the motion and that this action be terminated. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 21) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion for Summary Judgment (ECF No. 15) is GRANTED.

**IT IS FURTHER ORDERED** that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. *See McGore v. Wrigglesworth*,

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<sup>1</sup>Defendants identify themselves as Amber Beechler and Joleane Tribble (ECF No. 15, PageID.60).

114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: December 27, 2018

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge